

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 1:19-cr-10024-003

FELIX PEREZ VALLADARES

DEFENDANT

ORDER

BEFORE the Court is the Motion for Detention Hearing filed herein by Defendant, **FELIX PEREZ VALLADARES**. ECF No. 59. The Motion has been referred to the undersigned for decision. ECF No. 62. A hearing was held on this Motion on May 27, 2020.¹ ECF No 63.

Defendant appeared for an initial appearance on a criminal complaint for possession of more than fifteen unauthorized access devices on October 28, 2019. ECF No. 7. The Defendant waived the issues of probable cause and detention but reserved his rights on both issues. The Defendant was indicted by a federal grand jury in a seven-count Indictment charging him with violations of conspiracy and aiding and abetting in access device fraud, aggravated identity theft, and possession of access-device making equipment. ECF No. 12. The Defendant appeared for arraignment on December 4, 2019 and entered a plea of not guilty. ECF No. 22. He again waived a detention hearing.

On May 19,2020, Defendant filed the instant Motion seeking release pending trial in this matter. Before the hearing began on May 27, 2020, Government's Counsel disclosed to the Court and Defendant's counsel its proposed exhibits, including an outstanding Order of Removal from the United States Department of Homeland Security entered on September 26, 2006. Removal was deferred by the Department of Homeland Security shortly after entry of the Order of Removal.

¹ The hearing was conducted by video conference with Defendant's Written Consent. ECF No. 64.

Based on the outstanding Order of Removal, Defendant, after consultation with Counsel, requested he be allowed to withdraw his Motion for Detention Hearing. The Government had no objection. Accordingly, the Court finds as follows:

IT IS ORDERED the Motion for Detention Hearing filed herein by Defendant (ECF No. 59) is **DENIED** without prejudice to refiling. Defendant shall remain in the Custody of the United States Marshal pending trial.

SIGNED this **27th day of May 2020**.

/s/ *Barry A. Bryant*

HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE